

REMARKS/ARGUMENTS

Amendments

The claims are modified in the amendment. More specifically, claims 1 and 14 have been amended. No claims have been cancelled and no new claims have been added. Therefore, claims 1, 2, 4-15 and 17-22 remain present for examination. No new matter is added by these amendments. Applicant respectfully requests reconsideration of this application as amended.

35 U.S.C. §102 Rejection, de Vos et al.

The Office Action has rejected claims 1-2, 4-15 and 17-22 under 35 U.S.C. §102(e) as being anticipated by the cited portions of U.S. Patent No. 6,167,044 to de Vos et al. (hereinafter "de Vos"). The Applicant respectfully submits the following arguments pointing out significant differences between claims 1-2, 4-15 and 17-22 submitted by the Applicant and de Vos.

de Vos provides an interactive information service system which is able to provide information data to a number of end devices. (Col. 1, lines 50-53) Under de Vos, "navigation data including a software program for displaying a menu of service items and identification data corresponding to each service item is downloaded preferably beforehand from at least one navigation device selected by the end device. The monitor of end device displays such a menu of the available service items and, if necessary, corresponding identification data thereof." (Col. 5, lines 8-15) "If a user selects a video and/or audio program through the input device from the menu by pointing the desired video program with a pointer in the monitor or by entering the identification data corresponding to the desired program, if displayed on the monitor, the identification data is supplied to the system manager by the end device via ATM switch." (Col. 5, lines 19-24) "The system manager down-loads a VOD-software program for

end devices corresponding to a selected video program to the end device, after the system manager receives identification data from the set top box." (Col. 5, lines 39-42)

That is, de Vos teaches providing a menu or program guide to a user for selection and download of VOD or other content. However, de Vos does not disclose commanding the end device to store content before a user specifically requests the program. Rather, de Vos teaches downloading content to an end device only after receiving a selection from a user.

Claim 1, upon which claims 2, 4-7, and 21-22 depend, is directed to a method for distributing a program sent by a content distributor to a user location. Claim 14, upon which claims 15 and 17-20 depend, is directed to a distribution program product having code for distributing a program sent by a content distributor to a user location. Both claim 1 and claim 14 recite in part "receiving a command from the content distributor to store the program at the user location before a user specifically requests the program." de Vos does not disclose receiving a command from the content distributor to store the program at the user location before a user specifically requests the program. Rather, de Vos teaches downloading content to an end device only after receiving a selection from a user. For at least these reasons, claims 1-2, 4-7, 14-15, and 17-22 are distinguishable from de Vos and should be allowed.

Claim 8, upon which claims 9-13 depend, is directed to a method for distributing a program sent by a content distributor to a user location and recites in part "commanding the user location to store the program from the content distributor without a user associated with the user location specifically requesting the program" and "sending the program to the user location for storage before a user specifically requests the program." de Vos does not disclose commanding the user location to store the program from the content distributor without a user associated with the user location specifically requesting the program or sending the program to the user location for storage before a user specifically requests the program. Rather, de Vos teaches downloading content to an end device only after receiving a selection from a user. For at least these reasons, claims 8-13 are distinguishable from de Vos and should be allowed.

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PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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